

CRIMINAL DOCKET - U.S. District Court

County Code: 37147
U.S.

(LAST, FIRST, MIDDLE)

Case Filed
Mo. Day Yr.
05 25 93
Docket No. Def.
00032 19

PO ☐ 417 04 Assigned 1709
Misd. ☐
Felony ☒ District Off Judge/Magistr.

☐ WRIT
☐ JUVENILE
☐ ALIAS

VS. Dixon, Donald, a/k/a "p"

OFFENSE ON INDEX CARD

No. of
39
U.S. MAG.
CASE NO.

I. CHARGES

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:371
18:1955

Conspiracy to conduct a Gambling Business (Ct. 1)
Illegal Gambling Business; Aiding & Abetting (Ct. 2)

1
1

DISM. NG
GUILTY NOLO
Trial (voir dire) began
July N.J.

II. KEY DATE

INTERVAL ONE

END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)

SUPERSEDING COUNTS

END INTERVAL TWO

KEY DATE
EARLIEST OF

☐ arrest
☐ sum'ns
☐ custody
☐ appears-on complaint

KEY DATE
5/25/93
APPLICABLE

☒ Indictment filed/unsealed
☐ consent to Magr. trial on complaint
☐ Information
☐ Felony-W/waiver

KEY DATE
6/2/93

a) ☒ 1st appears on pending charge /R40
b) ☐ Receive file R20/21
c) ☐ Supsdg: ☐ Ind ☐ Inf
d) ☐ Order New trial
e) ☐ Remand f) ☐ G/P Withdrawn

KEY DATE
9-20-93
APPLICABLE

☐ Dismissal
☐ Plea
☐ After N.G.
☐ After nolo
☐ Trial (voir dire) began
☐ July ☐ N.J.

1st appears with or waives counsel

ARRAIGNMENT

1st Trial Ended

RE-TRIAL

2nd Trial Began

DISPOSITION DATE
9-20-93

SENTENCE DATE
3-24-94

PTD Nolle Pro.
☐

FINAL CHARGES DISMISSED on def motion on gov't motion
☐ on S.T. grounds ☐ W.P. ☐ WOP

III. MAGISTRATE

Search Warrant	Issued Return	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE PRELIMINARY EXAMINATION OR REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT	INITIAL/NO.	OUTCOME: <input type="checkbox"/> DISMISSED HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Arrest Warrant Issued	Issued Served					
COMPLAINT						
Date of Arrest		OFFENSE (In Complaint)				

Show last names and suffix numbers of other defendants on same indictment/information:

RULE
20 21 40 In Out

ATTORNEYS
U. S. Attorney or Asst.

William Delahoyde

Defense: 1 ☒ CJA. 2 ☒ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD

113 King Drive
Greenville, NC 27834
757-0898

~~PPD Ordered 6/2/93~~
Not for Ct 6/12/93

* MARK OWENS, III - P.H.
P.O. Box 36
Greenville, NC 27834
758-4276

AND
E. Keen Lassiter
200 E. Fourth St.
P.O. Box 859
Greenville, NC 27835-0859
758-1403

70 days up: 8/11/93

FINE AND RESTITUTION PAYMENT

DATE RECEIPT NUMBER

3/24 GR.
Sent: 3/24/94 Greenville
10 AM

BAIL • RELEASE	
PRE-INDICTMENT	
Release Date	
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	<input type="checkbox"/> Pers. Rec.
\$	<input type="checkbox"/> PSA
Date Set	<input type="checkbox"/> Conditions
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> 10% Dep.
Date Bond Made	<input type="checkbox"/> Surety Bnd
	<input type="checkbox"/> Collateral
	<input type="checkbox"/> 3rd Prty
	<input type="checkbox"/> Other
POST-INDICTMENT	
Release Date	
<input type="checkbox"/> Bail Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	<input checked="" type="checkbox"/> Pers. Rec.
\$	<input type="checkbox"/> PSA
Date Set	<input type="checkbox"/> Conditions
6/2/93	<input type="checkbox"/> 10% Dep.
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Surety Bnd
Date Bond Made	<input type="checkbox"/> Collateral
	<input type="checkbox"/> 3rd Prty
	<input type="checkbox"/> Other

APPEALS FEE PAYMENTS

DATE DOCUMENT NO.		Yr	Docket No.	Def.	MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE	OF	VI EXCLUDABLE DELAY		
								Start Date End Date	Ltr Code	Total Days
(OPTIONAL) Show last names of defendants					V. PROCEEDINGS					
Judge Howard					Judge Howard and Judge Dixon					
5/25/93	1				INDICTMENT FILED - c: USA, USPO, PTS, USM, New Bern Div., Judge Dixon, Judge Howard				jh	
5/25/93					REQUEST FOR WARRANT - by USA - Bond Rec: \$100,000. Uns.				jh	
5/26/93	2				WARRANT FOR ARREST - Orig and lc: USM w/copy of Indictment c: USA				jh	
6/2/93					INITIAL APPEARANCE at New Bern Before Judge McCotter (Proc. Rec.) Deft adv. of all rights - charges and penalties Deft to retain atty by 6/12/93 and notify the court Deft rel. on bond				jh	
6/2/93	3				ORDER SETTING CONDITIONS OF RELEASE - P.R. w/spec. conds. (Judge McCotter) c:USA,USPO,PTS,USM,DEFT,				jh	
6/2/93					Form to Judge Dixon for PTS Order				jh	
6/10/93	4				ORDER ON PRETRIAL SCHEDULING - Conf by: 6/28/93, Mtns by: 7/8/93 Resp. by: 7/19/93 (Judge Dixon) c: USA, Judge Howard, Counsel				jh	
6/22/93	5				RETURN ON WARRANT - date rec'd 6/2/93, date of arrest 6/2/93 (Bill Dickinson, DUSM)				jh	
6/29/93	6				NOTICE OF APPEARANCE - w/cs by Mark W. Owens, III c:USA,USPO,PTS, Judge H., Judge Dixon				jh	
8/26/93	7				NOTICE OF APPEARANCE - by: E. Keen Lassiter c:USA,USPO,PTS, JUDGE H.,JUDGE DIXON				jh	
9/1/93	8				NOTICE OF APPEARANCE by E. Kenn Lassiter as private counsel for the def't; cy: USA; USPO; PTS; Judge Howard; USMJ Dixon				bb	
9/4/93					ISSUED NOTICE FOR ARR & TRIAL ON MON. 9/20/93 at 10AM in Fay Before Judge H. - c:USA,USPO,PTS,USM,DEFT,COUNSEL				jh	
9/20/93					AT FAYETTEVILLE BEFORE JUDGE HOWARD (C.R.- Carolyn Williams) Deft sworn - Deft competent - Rule 11 conducted					
	9				Memorandum of Plea Agreement Filed - cys dist. Plea of Guilty to Ct. 1 Dismiss Ct. 2 at sent. Plea freely & vol. - Factual basis exists - Court accepts plea Remain on Same bond Sent date: 1/14/94 at Greenville				jh	
9/20/93	10				VIOLATION OF CONDITIONS OF RELEASE - Decision of: Judge: Agree with Officers Recommendation (The def't obtain a substance abuse assessment and comply with any and all treatment recommendations deemed appropriate by mental health authorities and US P/T Services - (evaluation set for Fri. Oct. 1, 1993 at 10AM (Judge Howard) c:USA,USPO,PTS,COUNSEL,JUDGE HOWARD				jh	
1/2/94					ISSUED NOTICE for sent. 1/14/94 at 9AM in Greenville c: USA,USPO,PTS,USM,DEFT,COUNSEL				jh	
1/14/94	11				ORDER the sent. is cont. to 1/24/94 at 10AM in Greenville (Judge Howard) O.B.#18,P.31 c:USA,USPO, PTS,DEFT,COUNSEL,JUDGE HOWARD				Ent. 1/16/94	jh
L/16/94					ISSUED NOTICE for sentencing at Greenville 1/24/94 at 10AM Before Judge Howard c:USA,USPO,PTS,USM,DEFT,COUNSEL,JUDGE H., Court Reporter, Joyce Todd for Info				jh	
1/14/94	12				MOTION TO CONTINUE - by def't. w/cs lc: Judge Howard lc: faxed				fs	
1/24/94	13				ORDER the sent. of this case is moved to 2/24/94 at Greenville (Judge Howard) O.B.#18, P.59 c:USA,USPO,PTS,USM,JUDGE H.,COUNSEL				jh	
2/3/94					ISSUED NOTICE for sentencing at Greenville 2/24/94 at 10AM c:USA,USPO,PTS,USM,DEFT,COUNSEL				jh	

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) [Sections in brackets]

A Exam or hearing for mental/physical incapacity (18 USC 4244) [(1) (A)]

B NARA exam (18 USC 2902) [(1) (B)]

C State/Fed. proceedings on other charges [(1) (D)]

D Interlocutory appeal [(1) (E)]

E Pretrial motion (from filing to hearing or to other prompt disposition) [(1) (F)]

F Transfer from other district per FRCP 20.21 or 4D or Mag. Rule 6a [(1) (G)]

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed [(1) (J)]

H Misc. proceedings: arraignment, parole/probation, revocation, Deportation, extradition [(1)]

I Deferral of prosecution (per 28 USC 2902) [(1) (C)]

J Transportation from another district or to/from examination or hospitalization in 10 days [(1) (H)]

K Consideration by Court of proposed plea agreement [(1) (I)]

L Prosecution deferred by mutual agreement [(2)]

M Unavailability of defendant or essential witness [(3) (A, B)]

N Period of mental/physical incompetence of def. to stand trial [(4)]

O Period of NARA commitment/treatment [(5)]

P Superseding indictment and/or new charges [(6)]

R Def. awaiting trial of co-defendant & no severance has been granted [(7)]

T Continuances granted per (h) (8) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance [(8) (A, B)]

T1 Failure to continue would stop further proceedings or result in miscarriage of justice [(8) (B, ii)]

T2 Case unusual or complex [(8) (B, iii)]

T3 Indictment following arrest can't be filed in 30 days [(8) (B, iv)]

T4 Continuance granted to obtain or substitute counsel, or give reasonable time to prepare [(8) (B, v)]

U Time up to withdrawal guilty plea, 3161(i)

W Grand Jury indictment time extended 30 more days, 3161 (b)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

Donald Dixon, a/k/a P

4:93CR-32-CR-1H

AO 256A •

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.) (Under Seal)				
2/23/94	14 MTN TO CONTINUE/MOTION TO SEAL MTN - w/cs c: Judge H. jh				
2/23/94	15 ORDER - to cont. sent. to 3/24/94 at Greenville and TO SEAL Mtn - (Judge H.) O.B.#18, P.96 c: USA,COUNSEL, Judge H. jh				
3/8/94	ISSUED NOTICE FOR SENTENCNG 3/24/94 at 9AM in Greenville Before Judge Howard - c: USA,USPO,PTS,USM,DEFT,COUNSEL,JUDGE H. court Reporter, Joyce Todd-Civil jh				
3/24/94	16 JUDGMENT AND COMMITMENT - at Greenville Before Judge Howard (C.R.-Patricia Haynes) BOP - 12mos. - Surr by 4/25/94 at 10AM SR - 24 mos. with conds. of sup. rel. \$3,000. fine - no int. - installments Statement of Reasons (Judge Howard) O.B.#18 P.#160 c: USA,USPO,PTS,USM,DEFT,COUNSEL, JUDGE HOWARD, FINANCIAL DEPUTY Ent. 3/24/94 jh				
3/24/94	Presentence Report Sealed Jh				
4/7/99	SATISFACTION OF JUDGMENT AND CERTIFICATE OF RELEASE OF LIEN by AUSA Fenita Shepard - cys dist				

AO 256A

Case 4:93-cr-00032-H Document 24 Filed 05/25/93 Page 4 of 4	Start Date	Ltr. Code	Total Days
(per Section II)	End Date		